

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARTI L. KLUTHO, individually and on)
behalf of all others similarly situated)
)
Plaintiffs,)
)
)
vs.) Case No. 4:06CV807 HEA
)
)
CORINTHIAN MORTGAGE)
CORPORATION, et al.)
)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on defendant Corinthian Mortgage Corporation's Motion to Sever [Doc. No. 18], defendant Shenandoah Valley National Bank's Motion for Joinder in Corinthian's Motion to Sever, [Doc. No. 22], and defendant JLB Corporation's Motion to Sever, [Doc. No. 32]. Plaintiff originally opposed Corinthian's Motion to Sever, but has conceded JLB's motion and states that she does not oppose defendant GE Money Bank's Alternative Motion to Sever which will be filed in that the Court has granted GE's motion to file its brief in excess of the Court's page limitation.

Subsequent to the filing of Corinthian's Motion, the issue of severance in a similar case was addressed and resolved by Judge Catherine D. Perry in Cause Number 4:06cv746 CDP. Plaintiff therefore does not oppose JLB's Motion or GE's

anticipated motion.

This Court agrees with Judge Perry, defendants, and now plaintiff that this matter should be severed into five separate actions, *i.e.*, a separate suit against each defendant.

Accordingly,

IT IS HEREBY ORDERED that Corinthian Mortgage Corporation's Motion to Sever [Doc. No. 18], defendant Shenandoah Valley National Bank's Motion for Joinder in Corinthian's Motion to Sever, [Doc. No. 22], and defendant JLB Corporation's Motion to Sever, [Doc. No. 32], are granted.

IT IS FURTHER ORDERED that plaintiff shall, within ten days, refile her complaint against defendants Shenandoah Valley National Bank, JLB Corporation, GE Money Bank, and Bay Capital Corporation. Plaintiff shall be required to pay the filing fee for each case.

IT IS FURTHER ORDERED that if any defendant has filed an answer or responsive pleading in this case, defendant is given leave to refile the answer or responsive pleading in the new case.

IT IS FURTHER ORDERED that the Clerk shall directly assign the cases

to the undersigned judge.

Dated this 18th day of August, 2006.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE